

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **NAKATA, Shunji et al.**

Group Art Unit: **2816**

Serial No.: **10/709,287**

Examiner: **C. F. COX**

Filed: **April 27, 2004**

P.T.O. Confirmation No.: 3286

For: **ADIABATIC CHARGING REGISTER CIRCUIT**

**RESPONSE UNDER 37 CFR §1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 13, 2005

Sir:

In response to the Office Action dated **May 18, 2005**, Applicants respectfully submit the attached Terminal Disclaimer to overcome the double patenting rejection of claims 1-3 as obvious over claim 1 of U.S. Patent 6,788,121. The Terminal Disclaimer is proper because the conflicting patent and the instant application are both commonly owned by Nippon Telegraph and Telephone Corporation.

A Notice of Allowance is earnestly solicited.

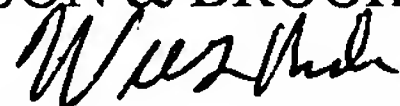
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/709,287  
Response to Office Action dated May 18, 2005

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

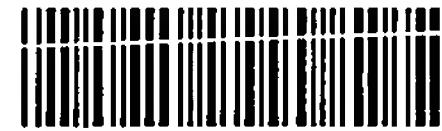
Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,  
HANSON & BROOKS, LLP



William L. Brooks  
Attorney for Applicant  
Reg. No. 34,129

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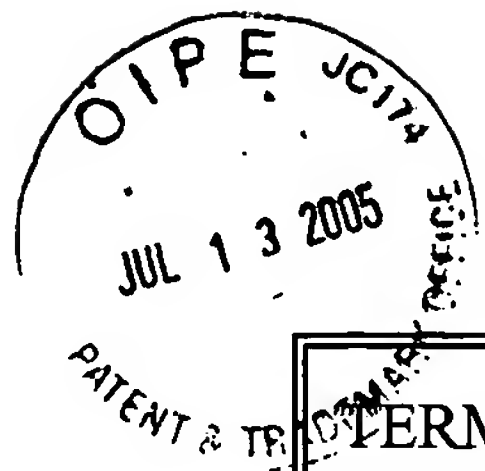


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PATENT TRADEMARK OFFICE

Enclosures: Terminal Disclaimer and fee

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**

**Docket Number  
010704A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **NAKATA, Shunji et al.**

Group Art Unit: **2816**

Serial No.: **10/709,287**

Examiner: **C. F. COX**

Filed: **April 27, 2004**

P.T.O. Confirmation No.: **3286**

For. **Adiabatic Charging Register Circuit**

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Washington, D. C. 22313-1450

July 13, 2005

Sir:

The undersigned, **William L. Brooks**, is attorney of record in the above-identified patent application. The terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. **6,788,121** is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

07/14/2005 HAL11 00000170 10709287

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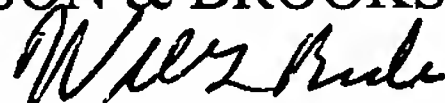
130.00 DP

This disclaimer is submitted on behalf of NIPPON TELEGRAPH AND TELEPHONE CORPORATION, a Japanese company, on whose behalf the undersigned is empowered to act, which owns the entire and exclusive right, title and interest to the invention entitled **Adiabatic Charging Register Circuit**, for which the above-identified patent application was filed on **April 27, 2004**, Serial No. **10/709,287**, and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted, by virtue of an assignment from the inventor(s) of the above-identified patent application. The assignment was recorded in the Patent and Trademark Office at Reel **011875**, Frame **0052**, or a copy thereof is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,  
HANSON & BROOKS, LLP



William L. Brooks

Attorney for Applicant

Reg. No. 34,129

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PATENT TRADEMARK OFFICE

Date: July 13, 2005

XX Terminal disclaimer fee under 37 CFR 1.20(d) is included.